

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

NEXTPOINT, INC.,	)	
	)	
Plaintiff,	)	Case No. 08-CV-4593
	)	
v.	)	Honorable Blanche Manning
	)	
NEXTPOINT NETWORKS, INC.,	)	Magistrate Judge Maria Valdez
	)	
Defendant.	)	

**NOTICE OF MOTION**

To: Nextpoint Networks, Inc. c/o The Company Corporation 2711 Centerville Road, Suite 400 Wilmington, DE 19808	Andrew N. Spivak Morrison & Foerster LLP 2000 Pennsylvania Avenue NW, Suite 5500 Washington, DC 20006-1831 Fax: (202) 887-0767 Email: <a href="mailto:aspivak@mofo.com">aspivak@mofo.com</a>
---	---

PLEASE TAKE NOTICE that on Thursday, August 21, 2008, at 11:00 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Blanche Manning, or any judge sitting in her stead, in the United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Room 2125, Chicago, Illinois, and then and there present the attached Motion For Preliminary Injunction, which is hereby served upon you.

NEXTPOINT, INC.

By: /s/ Richard L. Miller II  
One of Its Attorneys

Eric N. Macey  
Richard L. Miller II  
John F. Shonkwiler  
NOVACK AND MACEY LLP  
100 North Riverside Plaza  
Chicago, Illinois 60606  
(312) 419-6900

**CERTIFICATE OF SERVICE**

Richard L. Miller II, an attorney, hereby certifies that he served the foregoing Notice of Motion, by causing a true and correct copy thereof to be served upon the following in the listed manners:

**VIA U.S. MAIL**

Nextpoint Networks, Inc.  
c/o The Company Corporation  
2711 Centerville Road, Suite 400  
Wilmington, DE 19808

**VIA U.S. MAIL AND ELECTRONIC MAIL**

Andrew N. Spivak  
Morrison & Foerster LLP  
2000 Pennsylvania Avenue NW, Suite 5500  
Washington, DC 20006-1831  
Fax: (202) 887-0767  
Email: [aspivak@mofo.com](mailto:aspivak@mofo.com)

on this 14th day of August 2008.

/s/ Richard L. Miller II  
Richard L. Miller II